

NOV 23 2005

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

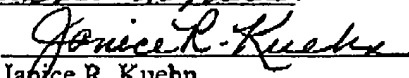
Applicant: Jay M. Meythaler et al. Attorney Docket: UAB-15402/22
Serial No.: 10/049,328 Group Art Unit: 1614
Filed: May 15, 2002 Examiner: Donna A. Jagoe
Title: USE OF GABA AGONISTS FOR TREATMENT OF SPASTIC
DISORDERS, CONVULSIONS, AND EPILEPSY

TO: Examiner Donna A. Jagoe
FROM: Avery N. Goldstein
PAGES: 21 (including cover sheet)

DOCUMENT BEING FAXED: 1. AMENDMENT UNDER RULE 116;
2. ARTICLE "Metabolism of Progabide in Four
Animal species and in Man" Ferrandes; and
3. STATEMENT OF THE SUBSTANCE OF
THE INTERVIEW

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document for Application Serial Number 10/049,328 is being
facsimile transmitted to the Patent and Trademark Office fax number (571) 273-8300, Attention
Examiner Donna A. Jagoe, Group 1614, on November 23, 2005.


Janice R. Kuehn

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Serial No. 10/049,328

Response to Office Action of August 24, 2005

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Attorney Docket No. UAB-15402/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Meythaler et al.

Serial No.: 10/049,328

Group Art Unit: 1614

Filing Date: May 15, 2002

Examiner: Donna A. Jagoe

For: USE OF GABA AGONISTS FOR TREATMENT OF SPASTIC
DISORDERS, CONVULSIONS, AND EPILEPSY

STATEMENT OF THE SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please enter the following statement of record of interview with regard to the above-referenced application. Applicant hereby provides the following information with respect to the telephonic interview of November 1, 2005 between Examiner Jagoe and Applicant's representative, Julie Staple. No demonstrations were performed. The interview consisted of a discussion as to the teaching of Aebischer in regard to GABA, including the failure of GABA to cross the blood-brain barrier and the intraventricular delivery of GABA as contra-indicated by the reference. The Bergmann reference was also discussed in that it teaches delivery of progabide. Applicant's representative noted the specification teaching regarding metabolism of progabide, including the formation of a ketone product. Applicant discussed making of record information in this regard.

Pending claims 1-3, 5-13, 15-18, and 26 were discussed in the course of the interview.

Serial No. 10/049,328
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Applicant believes the above summary is in compliance with 37 CFR 1.133. Entry of this summary is hereby requested.

Respectfully submitted,

/Julie Staple/

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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being forwarded to the United States Patent Office via facsimile (571-273-8300) on November 23, 2005.

Janice R. Kuehn
JANICE R. KUEHN